

ANNE GOODWIN CRUMP*
VINCENT J. CURTIS, JR.
THOMAS J. DOUGHERTY, JR.
JAMES G. ENNIS
PAUL J. FELDMAN*
RICHARD HILDRETH
EDWARD W. HUMMERS, JR.
FRANK R. JAZZO
BARRY LAMBERGMAN
PATRICIA A. MAHONEY
GEORGE PETRUTSAS
LEONARD R. RAISH
JAMES P. RILEY
MARVIN ROSENBERG
LONNA M. THOMPSON
KATHLEEN VICTORY*
HOWARD M. WEISS
*NOT ADMITTED IN VIRGINIA

FLETCHER, HEALD & HILDRETH

ATTORNEYS AT LAW

11th FLOOR, 1300 NORTH 17th STREET

ROSSLYN, VIRGINIA 22209

P. O. BOX 33847

WASHINGTON, D.C. 20033-0847

(703) 812-0400 • (202) 828-5700

TELECOPIER

(703) 812-0486 • (202) 828-5786

PAUL D.P. SPEARMAN
(1938-1982)
FRANK ROBERSON
(1938-1981)

RETIRED
RUSSELL ROWELL
EDWARD F. KENEHAN
ROBERT L. HEALD
FRANK U. FLETCHER

OF COUNSEL
EDWARD A. CAINE

TELECOMMUNICATIONS CONSULTANT
HON. ROBERT E. LEE

WRITER'S NUMBER
(703) 812-

0473

RECEIVED

MAY 7 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

May 7, 1993

Ms. Donna R. Searcy
Secretary - Stop Code 1170
Federal Communications Commission
1919 M Street, Room 222
Washington, DC 20554

Re: KRXX-FM, Rexburg, Idaho

Dear Ms. Searcy:

Transmitted herewith on behalf of Communicast Consultants, Inc., licensee of KRXX-FM, Rexburg, Idaho, are an original and four copies of its "PETITION FOR RULE MAKING AND ORDER TO SHOW CAUSE".

Should any questions arise concerning this matter, kindly communicate directly with the undersigned.

Very truly yours,

Kathleen Victory
Kathleen Victory

Enclosures

cc: Mr. David Grow*

*Please see that a copy of the Petition is placed in the local public inspection file.

No. of Copies rec'd
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BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

RECEIVED
MAY 7 1993FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Amendment of Section 73.202(b))
Table of Allotments)
FM Broadcast Stations)
(Rexburg, Idaho))MM Docket No.
RM-To: Chief, Policy and Rules Division
Mass Media Bureau**PETITION FOR RULE MAKING**
AND
ORDER TO SHOW CAUSE

Communicast Consultants, Inc. ("CCI"), by its attorneys, hereby requests that the Commission adopt a Notice of Proposed Rule Making which proposes to substitute FM Channel 251C1 for 251C3 at Rexburg, Idaho, and to modify the authorization of KRXX-FM to specify operation thereon, pursuant to Section 1.420(g)(3) of the FCC's Rules. In support thereof, the following is shown:

1. CCI is the licensee of KRXX-FM, Rexburg, Idaho (BLH-860331KG). KRXX-FM currently operates on Channel 251A with an effective radiated power ("ERP") of 3 kilowatts and antenna height above average terrain ("HAAT") of 91 meters. CCI holds a construction permit authorizing it to operate on Channel 251C3 with an ERP of 25 kilowatts and a HAAT of 84 meters (BPH-920721JK).¹

¹ On April 16, 1993, CCI submitted an FCC Form 307 application to reinstate this construction permit which expired on March 17, 1993 (BPH-930419JA).

2. As demonstrated by the attached engineering statement prepared by du Treil, Lundin & Rackley, Inc., Channel 251C1 can be allotted to Rexburg, Idaho, in accordance with the Commission's minimum spacing requirements (Section 73.207(b)), provided that Channel 254A is substituted for Channel 252A at Afton, Wyoming.² Channel 254A can be substituted for Channel 252A at Afton, Wyoming, in conformity with all spacing requirement from the licensee's current transmitter site.

3. CCI has found a suitable site to which the facilities of KRXX-FM could be moved if the Commission acts favorably upon this request. CCI will promptly apply for and construct the upgraded facilities on the proposed channel.

4. Operation on the proposed channel allotment in Rexburg, Idaho, would substantially expand the coverage of CCI's facilities to areas not currently receiving its signal. Thus, this request is clearly in the public interest and will provide for a more efficient use of the spectrum.

5. CCI requests that its current authorization be modified to specify operation on Channel 251C1. This request is made pursuant to and in accordance with the Commission's Report and Order in MM Docket 85-313, FCC 86-181, released April 29, 1986. The Commission may modify KRXX-M's authorization without considering competing expressions of interest, because Channel 251C1 is a mutually

² Station KRSV(FM), Afton, Wyoming, licensed to Western Wyoming Radio, currently operates on Channel 252A. CCI will reimburse Western Wyoming Radio for the reasonable expenses incurred in changing KRSV(M)'s channel of operation from Channel 252A to Channel 254A.

exclusive higher class co-channel.

WHEREFORE, Communicast Consultants, Inc. respectfully requests that the Commission institute a Rule Making proceeding proposing to amend the FM Allotment Table (Section 73.202(b)) to substitute Channel 251C1 for Channel 251C3 at Rexburg, Idaho, and Channel 254A for Channel 252A at Afton, Wyoming. In addition Communicast Consultants requests that the Commission modify the authorized facilities of KRXX-FM and KRSV-FM accordingly. CCI further requests, in order to effectuate this change in the FM Table of Allotments, that the Commission issue a show cause order why the license of KRSV(FM), Afton, Wyoming should not be modified to change its authorized operation from Channel 252A to Channel 254A and why the facilities of KRXX-FM should not be modified to specify operation on Channel 251C1 at Rexburg, Idaho.

Respectfully submitted,


COMMUNICAST CONSULTANTS, INC.

FLETCHER, HEALD & HILDRETH
1300 North 17th Street
11th Floor
Rosslyn, VA 22209
(703) 812-0400

May 6, 1993

c:\...communic.upg\kv10

By


Marvin Rosenberg
Kathleen Victory
Its Attorneys

CERTIFICATE OF SERVICE

I, Roberta Wadsworth, a secretary in the law offices of Fletcher, Heald & Hildreth, hereby certify that I have on this 7th day of May, 1993, had copies of the foregoing "PETITION FOR RULE MAKING AND ORDER TO SHOW CAUSE" mailed by U.S. Main first class, postage prepaid, to the following:

*Douglas W. Webbink
Chief, Policy and Rules Division
Mass Media Bureau
Federal Communications Commission
2025 M Street, N.W., Room 8010
Washington, DC 20554

Western Wyoming Radio
P.O. Box 1210
Afton, Wyoming 83110


Roberta Wadsworth

*denotes hand delivery

TECHNICAL STATEMENT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
COMMUNICAST CONSULTANTS, INC.
REXBURG, IDAHO

This technical statement and associated exhibits have been prepared on behalf of Communicast Consultants, Inc. (herein "Petitioner") in support of a Petition for Rule Making requesting amendment of 47 CFR 73.202(b) by the substitution of channel 251C1 for channel 251C3 at Rexburg, Idaho and modification of the construction permit of station KRXX-FM, channel 251C3, Rexburg, Idaho accordingly. Station KRXX-FM is presently licensed (BLH-860331KG) on channel 252A with an effective radiated power of 3 kilowatts and antenna height above average terrain of 91 meters. Additionally, station KRXX-FM holds a construction permit (BPH-920721JK) authorizing operation on channel 251C3 with an effective radiated power of 25 kilowatts and antenna height above average terrain of 84 meters. When compared with the authorized KRXX-FM channel 251C3 facility, it is predicted that the operation proposed herein (full Class C1 facilities) would provide primary FM service (60 dBu, 1 mV/m) over an additional 11,837 square kilometers of land area encompassing an additional population of 75,742 persons.

Proposed Change in FM Table of Allotments

Petitioner herein requests modification of the FM Table of Allotments, 47 CFR 73.202(b), by the substitution of channel 251C1 for channel 251C3 at Rexburg, Idaho.

Channel 251C1 can be substituted for channel 251C3 at Rexburg, Idaho and meet the Federal Communications Commission's minimum distance separations of 47 CFR 73.207(b) providing that station KRSV-FM, Afton, Wyoming, substitute channel 254A for channel 252A at Afton. The proposed changes are, therefore, as follows:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Rexburg, Idaho	232C3, 251C3 263C1	232C3, 251C1 263C1
Afton, Wyoming	252A	254A

Compliance with FCC Rules

The attached Figure 1 contains a map (sheet 1) showing the permissible area within which a channel 251C1 facility may be located and tabulation (sheet 2) of required separations pertinent to the use of channel 251C1 at Rexburg, Idaho. The city limits of Rexburg shown were obtained from a map contained in the 1990 United States Census. The following geographic coordinates of an assumed site approximately 33 kilometers south-southwest from the most distant point of the Rexburg city limits have been used in this study:

43° 32' 34" North Latitude
111° 53' 07" West Longitude.

From this assumed site, it is predicted that the required city coverage of Rexburg, pursuant to 47 CFR 73.315, will be provided.

As can be seen in the tabulation in Figure 1, the assumed site meets the minimum distance separations of 47 CFR 73.207(b) with respect to all stations and allotments with the exception of KRSV-FM, channel 252A, Afton, Wyoming. With respect to Afton, it appears that channel 254A may be substituted for channel 252A. Justification for the availability of this channel is provided below.

KRSV-FM at Afton, Wyoming, is licensed (BLH-861124AA) on channel 252A with an effective radiated power of 3 kilowatts and antenna height above average terrain of -88 meters. It is proposed to substitute channel 254A for channel 252A at Afton. The attached Figure 2 illustrates the permissible use of channel 254A at Afton. The map on Sheet 1 of Figure 2 depicts the permissible area within which a channel 254A facility may be located and meet the separation distances of 47 CFR 73.207(b) to all other stations and allotments. The city limits of Afton shown were obtained from a map contained in the 1990 United States Census. Sheet 2 of Figure 2 is a tabulation of these required separations for the use of channel 254A at Afton. The site coordinates, referenced from the present KRSV-FM (channel 252A) facility, are:

42° 51' 02" North Latitude
110° 58' 46" West Longitude.

As can be seen in the tabulation, all required separations are met. As the reference site is 16 kilometers north-northwest of the most distant point of the Afton city limits, it is predicted that the city coverage requirements of 47 CFR 73.315 will be met.

Population and Area

The KRXX-FM, channel 251C3 facility (25 kilowatts, 84 meters), as authorized in construction permit BPH-920721JK, is estimated to provide primary (60 dBu, 1.0 mV/m) service over a land area of 4,466 square kilometers encompassing an estimated population of 84,464. Operation from the assumed site with full Class C1 facilities (100 kilowatts, 299 meters) is estimated to provide primary service over a land area of 16,303 square kilometers encompassing an estimated 160,206 persons. Thus, operation as proposed herein would extend primary service over an additional, estimated 11,837 square kilometers encompassing an additional, estimated 75,742 persons.¹


Charles A. Cooper

April 26, 1993

du Treil, Lundin & Rackley
240 North Washington Blvd., Suite 700
Sarasota, Florida 34236

¹The population within each FM primary service contour was calculated using a computer program that utilized the 1990 United States Census of Population database of "population centroids." The program adds the populations of those census areas having centroids within the service area. The land area within each primary service contour was determined by use of a computer program utilizing a root-mean-square algorithm.

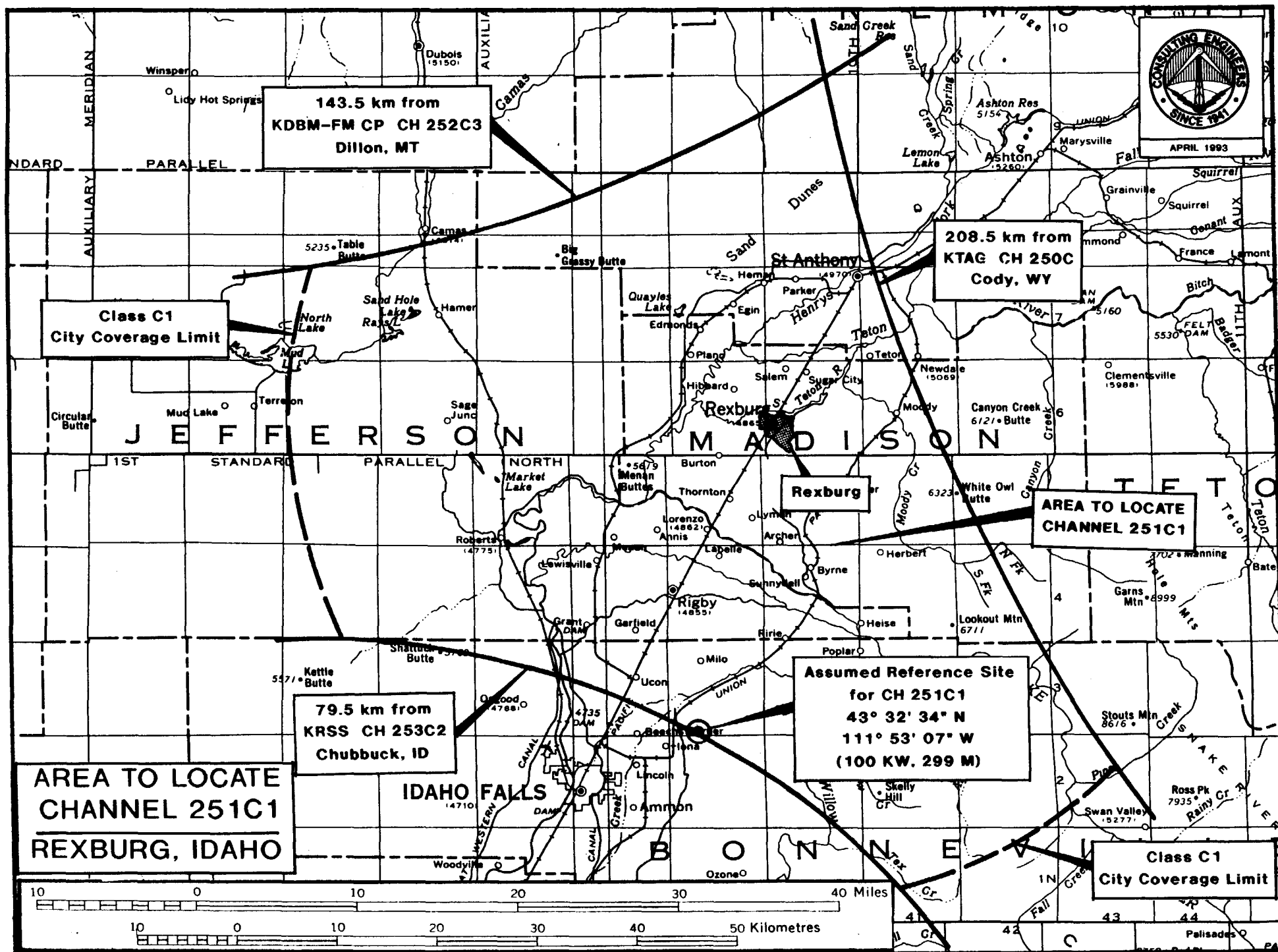


Figure 1
Sheet 1 of 2

TECHNICAL STATEMENT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
COMMUNICAST CONSULTANTS, INC.
REXBURG, IDAHO

Allocation Study

Channel 251C1

Assumed Site: 43° 32' 34" North Latitude
111° 53' 07" West Longitude

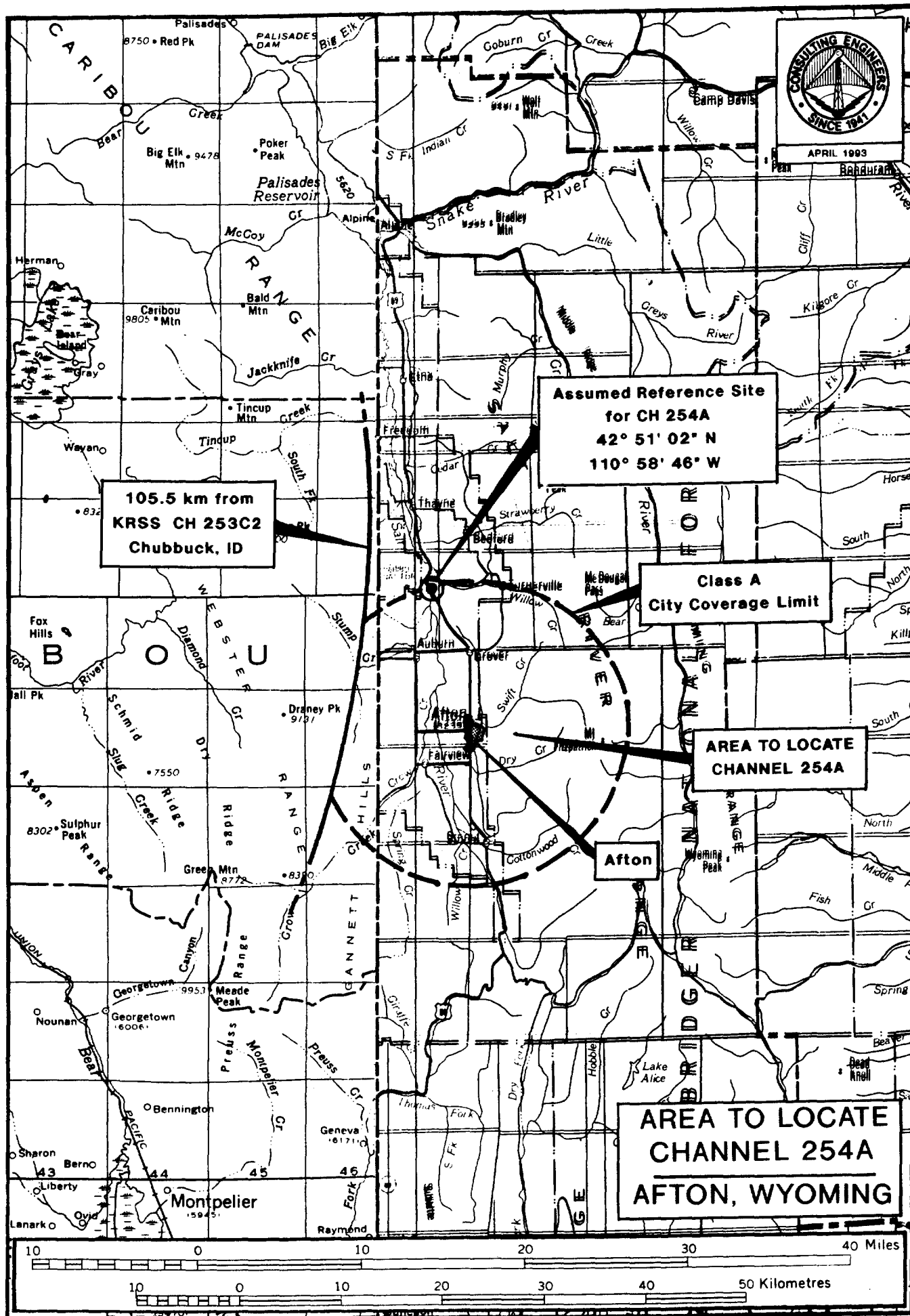
Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KTAG LIC	Cody WY	BLH811210AD	250C 97.9	100.0 585.0	44-29-44 109-09-13	63.2	243.27	209
KRXKFM CP	Rexburg ID	BPH920721JK	251C3 98.1	25.0 84.0	43-48-55 111-46-09	17.1	31.70	211 ¹
KRXKFM LIC	Rexburg ID	BLH860331KG	252A 98.3	3.0 91.0	43-48-55 111-46-09	17.1	31.70	133 ²
KRSVFM LIC	Afton WY	BLH861124AA	252A 98.3	3.0 -88.0	42-51-02 110-58-46	136.0	106.48	133 ³
KDBMFM CP	Dillon MT	BPH910122IG	252C3 98.3	10.5 151.0	45-14-22 112-40-03	342.0	198.58	144
KRSS LIC	Chubbuck ID	BLH920428KC	253C2 98.5	6.2 410.0	42-55-15 112-20-44	208.5	78.57	79 ⁴

¹It is proposed, herein, to substitute channel 251C1 for channel 251C3 at Rexburg, Idaho.

²KRXK-FM's presently licensed facility.

³It is proposed, herein, to substitute channel 254A for channel 252A at Afton, Wyoming.

⁴Separation distance rounds to 79 kilometers.



TECHNICAL STATEMENT
IN SUPPORT OF
A PETITION FOR RULE MAKING
TO AMEND THE FM TABLE OF ALLOTMENTS
COMMUNICAST CONSULTANTS, INC.
REXBURG, IDAHO

Allocation Study

Channel 254A

Assumed Site: 42° 51' 02" North Latitude
110° 58' 46" West Longitude

Call Status	City State	FCC File No.	Channel Freq.	ERP(kW) HAAT(m)	Latitude Longitude	Bearing deg-Tru	Dist. (km)	Req. (km)
KRSS LIC	Chubbuck ID	BLH920428KC	253C2 98.5	6.2 410.0	42-55-15 112-20-44	274.5	111.89	106
KVRI LIC	Salt Lake City UT	BLH880104KB	254C 98.7	40.0 894.0	40-36-30 112-09-34	201.8	267.69	226
KUPI LIC	Idaho Falls ID	BLH851101KB	256C1 99.1	100.0 176.0	43-32-33 111-53-04	316.7	106.41	75